

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2059*

House Bill No. 2129

by deleting all language after the caption and substituting instead the following:

WHEREAS, the safety of our children is paramount; and

WHEREAS, reducing the armed response time for law enforcement officers for reports of armed intruders on school premises is vital to ensuring the safety of children, teachers, and school personnel; and

WHEREAS, increasing the presence of properly trained, armed, and certified officials on school premises will aid in protecting our children, teachers, and school personnel; and

WHEREAS, the presence of armed school security officers will help to comfort parents, children, and citizens of this State concerned for the safety of those present on school premises; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "School Safety Act of 2018."

SECTION 2. Tennessee Code Annotated, Section 39-17-1309(e)(10), is amended by deleting the language "pursuant to § 49-6-815 or § 49-6-816" and substituting instead the language "pursuant to § 49-6-809, § 49-6-815, or § 49-6-816".

SECTION 3. Tennessee Code Annotated, Title 49, Chapter 6, Part 8, is amended by adding the following as a new section:

49-6-809.

(a) For purposes of this section, "law enforcement officer" means the sheriff, sheriff's deputies, or any police officer employed by the state, a municipality, county, or political subdivision of the state certified by the peace officer standards and training



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(POST) commission or certified in a manner substantially equivalent to the requirements of the POST commission; any commissioned member of the Tennessee highway patrol or the Tennessee bureau of investigation; and any Tennessee county constable authorized to carry a firearm.

(b) To increase the protection and safety of students and school personnel, LEAs may permit off-duty law enforcement officers to serve as armed school security officers during regular school hours when children are present on the school's premises, as well as during school-sponsored events occurring outside of regular school hours that are conducted on the school's premises, excluding rehearsals and practices.

(c) If an LEA permits an off-duty law enforcement officer to serve as an armed school security officer, then the LEA shall adopt policies on the employment of armed school security officers from lists distributed to the LEA by law enforcement agencies. The LEA's policy must prescribe the type of firearms that may be carried by an armed school security officer on school premises and the manner in which the armed school security officer's firearm may be carried. The LEA's policy shall not prohibit an off-duty law enforcement officer serving as an armed school security officer from carrying a loaded handgun on school premises. The LEA's policy may prescribe whether an armed school security officer must be uniformed on school premises.

(d) Nothing in this section requires LEAs to permit an off-duty law enforcement officer to serve as an armed school security officer on school premises.

(e) Each law enforcement agency in this state shall prepare and distribute a list of its qualified law enforcement officers who are interested in serving as armed school security officers pursuant to this section to each LEA located within the law enforcement agency's jurisdictional boundaries and to each LEA located within the jurisdictional boundaries of another law enforcement agency with which the law enforcement agency has a mutual aid agreement for purposes of furnishing assistance in law enforcement. The list must provide the officer's name and up-to-date contact information.

(f)

(1) As used in this subsection (f):

(A) "Calendar day" means a twenty-four (24) hour period beginning at midnight and ending at midnight the following day; and

(B) "Armed school security officer workday" or "workday" equals one (1) shift of up to six and one-half (6.5) hours served during a calendar day by one (1) armed school security officer during:

(i) Regular school hours when children are present on the school's premises; or

(ii) School-sponsored events occurring outside of regular school hours that are conducted on the school's premises, excluding rehearsals and practices.

(2) A public school shall not accrue more than four (4) state-funded armed school security officer workdays during a calendar day. Nothing in this subdivision (f)(2) prohibits an LEA from employing, and compensating from LEA funds, additional armed school security officers for purposes of this section.

(3) If an LEA allows an off-duty law enforcement officer to serve as an armed school security officer in accordance with this section, then the state shall provide each participating LEA a monthly armed school security officer grant.

(4) The amount of an LEA's grant for a month shall be calculated by multiplying the total number of the LEA's accumulated school security officer workdays for the month by fifty-four dollars (\$54.00).

(5) The rate of state funding at fifty-four dollars (\$54.00) per school security officer workday consists of:

(A) Fifty dollars (\$50.00) to be paid to the school security officer;

(B) Two dollars (\$2.00) to be distributed directly to the armed school security officer's law enforcement agency; and

(C) Two dollars (\$2.00) to be retained by the LEA.

(6) The amount of the armed school security officer grant paid to the armed school security officer per workday pursuant to subdivision (f)(5)(A) shall not be reduced if the officer serves a shift of less than six and one-half (6.5) hours of armed security service either during regular school hours when children are present on the school's premises or during school-sponsored events occurring outside of regular school hours that are conducted on the school's premises, excluding rehearsals and practices.

(7) The LEA shall be responsible for compensating an armed school security officer for additional time worked beyond six and one-half (6.5) hours during regular school hours when children are present on the school's premises or during school-sponsored events occurring outside of regular school hours that are conducted on the school's premises, excluding rehearsals and practices.

(8) An armed school security officer fund shall be established as a separate account in the state treasury for the purpose of funding the employment by LEAs of off-duty law enforcement officers to serve as armed school security officers on school premises. The armed school security officer fund shall be administered by the department of finance and administration. Costs of administering the armed school security officer fund may be funded from the armed school security officer fund.

(9) Subject to the availability of moneys within the armed school security officer fund, payments to armed school security officers shall be made in accordance with this subsection (f). Nothing in this section prohibits an LEA from compensating, from LEA funds, an armed school security officer in excess of the state funds provided under this subsection (f).

(10) Moneys in the armed school security officer fund shall be invested by the state treasurer pursuant to title 9, chapter 4, part 6 for the sole benefit of the armed school security officer fund.

(11) Amounts remaining in the armed school security officer fund at the end of each fiscal year shall not revert to the general fund until the repeal of this section on July 1, 2022.

(g) LEAs shall maintain a record of the hours served by an armed school security officer for the LEA during regular school hours when children are present on the school's premises, as well as a record of the hours served by an armed school security officer during school-sponsored events occurring outside of regular school hours that are conducted on the school's premises, excluding rehearsals and practices.

(h) An LEA shall not use off-duty law enforcement officers serving as armed school security officers on school premises pursuant to this section to terminate an existing school resource officer position. This section is intended to supplement, not supplant, the services provided by school resources officers.

SECTION 4. This act is repealed effective July 1, 2022.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring

it.